

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77283

Ji-young MOON

Allowed: April 16, 2009

Appln. No.: 10/713,197

Group Art Unit: 2437

Confirmation No.: 9563

Examiner: Techane GERGISO

Filed: November 17, 2003

For: IMAGE WATERMARKING METHOD USING HUMAN VISUAL SYSTEM

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

ATTN: MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

REMARKS

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on pages 6-7 of the Notice of Allowability dated April 16, 2009. The Reasons for Allowance merely loosely paraphrase claims 1, 6, and 11, and therefore do not accurately restate the claimed invention. The claims should be considered allowable based on their respective recitations.

Moreover, the Reasons for Allowance impermissibly import limitations from the Specification into the claims. For instance, the MPEP § 2106.II.C states that "[l]imitations appearing in the specification but not recited in the claim should not be read into the claim. *E-Pass Techs., Inc. v. 3Com Corp.*, 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily). *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

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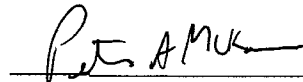
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541, 550-551 (CCPA 1969). See also *In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989)". Therefore, as noted above, the claims should be considered allowable based on their respective recitations.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application."

Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated April 16, 2009.

Respectfully submitted,



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